

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AMERICAN CIVIL LIBERTIES UNION,

Plaintiff,

- against -

UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY; UNITED STATES  
CUSTOMS AND BORDER PROTECTION; and  
UNITED STATES IMMIGRATION AND  
CUSTOMS ENFORCEMENT,

Defendants.

**ORDER**

20 Civ. 10083 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

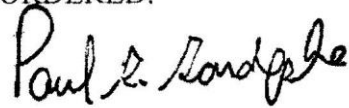
Plaintiff American Civil Liberties Union (“ACLU”) filed a FOIA request seeking records from the U.S. Department of Homeland Security (“DHS”), U.S. Customs and Border Protection (“CBP”), and U.S. Immigration and Customs Enforcement (“ICE”) (collectively, “Defendants”) regarding their purchase and use of cell phone location data.

As discussed at yesterday’s conference, the Government will file a declaration from ICE explaining its position that it cannot process and produce more than 500 pages of responsive records per month. In addition, the Government will file a letter stating the estimated volume of responsive records from DHS, DHS’s proposed rate of processing those records, and whether the U.S. Coast Guard or Secret Service have records responsive to the ACLU’s request. The Government will file any declarations and its letter stating Defendants’ position with respect to any outstanding record search, processing and production issues by **April 16, 2021**.

The ACLU will file its response by **April 23, 2021**.

Dated: New York, New York  
April 9, 2021

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive, flowing style. The first letter "P" is large and loops around the "G". The "G" is also large and loops around the "A". The "R" is tall and thin. The "D" is a simple loop. The "E" is a simple horizontal stroke. The "P" at the end is a simple loop.

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Paul G. Gardephe  
United States District Judge